

STATE OF TENNESSEE

PUBLIC CHAPTER NO. 590

HOUSE BILL NO. 346

By Representatives Hackworth, McDonald, Hensley, Coley, Hardaway, Fincher, Tidwell, Faulkner, Richardson, Fitzhugh, Bass, Coleman, Bone, Sherry Jones, Moore, Yokley, Curt Cobb, Harmon, Fraley, Windle, Stewart, Ulysses Jones, Cooper, Mike Turner, Sontany, Pruitt, Gilmore, Miller, John DeBerry, Camper, Lollar, Barker, Naifeh, Favors, Ty Cobb, Curtiss, Ferguson, Harry Brooks, Haynes, Towns, Evans, Eldridge, Weaver, McManus and Mr. Speaker Williams

Substituted for: Senate Bill No. 532

By Senators McNally, Finney, Yager, Faulk, Berke, Stewart, Henry, Burchett, Black, Haynes, Herron, Kyle, Norris, Overbey, Watson, Woodson, Ford, Burks

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 51 and Title 38, relative to certain vulnerable persons.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 38, Chapter 6, Part 1 is amended by adding the following as a new section:

38-6-121.

(a) The general assembly finds that, in the case of a missing senior citizen, the first few hours are critical in finding the senior citizen. To aid in the identification and location of missing senior citizens, there is hereby created the missing senior citizen alert program. This program shall be coordinated by local law enforcement agencies which may choose to seek the assistance of non-profit organizations such as "A Child is Missing" or the "Alzheimer's Association."

(b) For the purposes of this section, "missing senior citizen" means a person:

(1) Whose whereabouts are unknown;

(2) Whose age at the time he or she is first reported missing is sixty (60) years of age or older and who has an impaired mental condition as determined by a local law enforcement agency; and

(3) Who is believed to be in danger because of age, health, mental or physical disability, in combination with

environmental or weather conditions, or is believed to be unable to return to safety without assistance.

(c)

(1) When a local law enforcement agency receives notice that a senior citizen is missing, the agency may require the senior citizen's family or legal guardian to provide documentation, including, but not limited to, medical records, if available, of the senior citizen's impaired mental condition;

(2) Once the local law enforcement agency verifies that the senior citizen is missing, the local law enforcement may notify "A Child is Missing," the "Alzheimer's Association," or any other such non-profit assistance program, to activate its alert program.

(3) Local law enforcement shall enter the report of the missing senior citizen with an impaired mental condition into the National Crime Information Center (NCIC) within four (4) hours of the completion of the verification process.

(4) The alert may be sent to designated media outlets in Tennessee at the discretion of the local law enforcement agency. Media outlets shall be strongly encouraged to publicize the information provided in order to promote the safe recovery of the missing senior citizen. If the alert is sent to media outlets, it shall contain all appropriate information from the local law enforcement agency that may assist in the safe recovery of the missing senior citizen and a statement instructing anyone with information related to the missing senior citizen to contact his or her local law enforcement agency.

(5) The alert shall be cancelled by local law enforcement agency upon notification that the missing senior citizen has been found, including cancellation of the missing person entry into NCIC.

SECTION 2. This act shall take effect July 1, 2009, the public welfare requiring it.

PASSED: June 17, 2009

A handwritten signature in black ink, reading "Kent Williams", written over a horizontal line.

KENT WILLIAMS, SPEAKER
HOUSE OF REPRESENTATIVES

A handwritten signature in black ink, reading "Ron Ramsey", written over a horizontal line.

RON RAMSEY
SPEAKER OF THE SENATE

APPROVED this 8th day of July 2009

A handwritten signature in black ink, reading "Phil Bredeesen", written over a horizontal line.

PHIL BREDESEN, GOVERNOR